

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6309-Cr-Seitz

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH RUSSO and DOREEN RUSSO,
et al,

Defendants.

JOINT UNOPPOSED MOTION TO DEFER HEARING ON PENDING MOTIONS

The Defendant, Joseph Russo, by and through undersigned counsel, respectfully requests that this Honorable Court defer the presently scheduled hearing on pending Motions, and asserts the following in support:

1. A number of the Defendant's pre-trial Motions are presently scheduled for hearing before this Honorable Court next Friday, December 21, 2001.
2. The parties have been diligently working towards a resolution of the Defendant's case, and believe that an agreement will be reached shortly.
3. At a Status Conference this morning, District Court Judge Seitz was advised that the parties agreed that the present posture of plea negotiations is such as will likely render the scheduled hearing(s) unnecessary.

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4. Upon the parties' request that the hearing(s) be deferred, Judge Seitz indicated her approval as long as this Honorable Court was in agreement and could accommodate the hearing(s) in the beginning of January should a plea not be consummated by that time.

5. In light of the above, we respectfully submit that judicial and prosecutorial resources will likely benefit if the Court is able to defer the presently scheduled hearing(s) until early January, if needed.

6. Undersigned counsel has spoken personally with prosecutors Brian McCormick and Diana Fernandez, and they are in agreement that the interest of the parties and the Court would be best served by deferring the hearings.

7. Additionally, Government Responses to the subject Motions would be required forthwith, and the parties likewise agree that these ought to be deferred under the circumstances.


8. Finally, the parties agree that identical considerations apply to Defendant Doreen Russo and undersigned counsel has spoken personally with her counsel, Howard Srebnick, Esq., who requests that any potential hearings involving Doreen Russo be likewise deferred.

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WHEREFORE, the parties respectfully request that this Honorable Court defer the hearing(s) scheduled for next Friday until a date in early January, should said hearings prove to be required, and likewise approve deferral of the Government's Responses until the beginning of January.

Respectfully submitted,

STEVEN M. POTOLSKY, P.A.
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By: 
Steven M. Potolsky, Esq.
Florida Bar No. 380601

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has been furnished by mail this 14 day of December, 2001 to **Brian McCormick, Esq. and Diana Fernandez, Esq., Assistant United States Attorneys**, 500 E. Broward Blvd., Suite 700, Ft. Lauderdale, FL 33394 and all defense counsel on the attached Service List.

By: 
Steven M. Potolsky, Esq.